



OFFICE OF THE SECRETARY OF DEFENSE

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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT
OF DEFENSE
DIRECTOR, ADMINISTRATION AND
MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Release Authority for Hurricane Katrina-Related Information

The Acting Deputy Secretary of Defense established the DoD Hurricane Katrina Comprehensive Review Task Force under our joint leadership on October 24, 2005. Pursuant to the Deputy Secretary's guidance, the Task Force will coordinate responses to inquiries from non-DoD entities and is the sole release approval authority for these responses. The Task Force leadership or their designees are also the sole authority for release of records as appropriate to the Congress, as well as the release and initial denial authority under the Freedom of Information Act. In discharging these responsibilities, the Military Departments and Heads of the DoD Components should use the attached guidelines.

All correspondence to be provided to the Executive Office of the President or to other Executive Branch entities will be coordinated with the Task Force. Components will prepare a package following the Manual for Written Material, DoD 5110.4-M, for our release. Exceptions to this guidance are routine and continuing Hurricane Katrina-related reporting requirements to the Office of Management and Budget or other offices. In these cases, Components should send a copy of such documents to the Task Force.

Task Force approval is required only for documents sent in response to external inquiries. In addition, approval is not required for day-to-day information exchanges with external organizations that enable execution of on-going missions.

Task Force points of contact are Colonel Dave Rhodes and Ms. Christina Filarowski-Sheaks, (703) 571-8919.

Paul McHale
Assistant Secretary of Defense
Homeland Defense

RICHARD J. MAULDIN
Rear Admiral, USN
Director for Operational
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Development



MMTF 00230-05
9 pages (Cover & 4 attachments)

Attachments:

1. Public Affairs Guidance
2. Freedom of Information Act Requests
3. Congressional Inquiries, Testimony, and Investigations
4. External Audits and Investigations

McHale – Mauldin Task Force Release Authority Guidance

Public Affairs

- 1) References:
 - a) DepSecDef Memo of October 24, 2005, Comprehensive Review of the Federal Government Response to Hurricane Katrina.
 - b) SecDef Memo of September 22, 2005, Comprehensive Review of the Federal Government Response to Hurricane Katrina.
 - c) White House Memo of October 3, 2005, Comprehensive Review of the Federal Government Response to Hurricane Katrina.
 - d) SecDef Memo of November 9, 2001, Department of Defense Principles of Information.
- 2) Background. The “McHale-Mauldin” Task Force, established by reference (a), is the DoD focal point for a comprehensive internal review of the Department’s response to the events surrounding Hurricane Katrina. It is the clearinghouse for: all activities in support of the President-directed comprehensive review of the same; all requests for information; DoD responses to information requests; congressional testimony preparation; public statements; and policy guidance for DoD and interagency discussion. The Congress, media, public and the DoD internal audience have great interest in the review process and the outcomes. This level of interest requires the Task Force to have an acute public affairs awareness of all Hurricane Katrina-related queries, legal proceedings, and public affairs activities.
- 3) The Task Force PAO is the sole point of contact for queries regarding the Task Force and its activities. The Task Force will coordinate DoD responses to inquiries from non-DoD entities, and the Task Force leadership will be the sole release authority for these responses. This policy does not prohibit Components, Combatant Commands, and DoD agencies and entities from releasing public affairs-type information or responding to queries relating to their own Hurricane Katrina response activities with information that has been previously released or reported.
 - a) Statement for use in response to a question about the purpose of the Task Force. (Begin Quote) As part of the comprehensive review of the Federal Government response to Hurricane Katrina directed by the President, the Department of Defense has formed a Task Force to work with the Homeland Security Council. The DoD Hurricane Katrina Comprehensive Review Task Force, headed by Assistant Secretary of Defense for Homeland Defense Paul McHale, and the Director of the Joint Staff, J-7, Rear Admiral Richard Mauldin, will be the Department’s focal point for all support provided to the Homeland Security Council. The Task Force will have a small, dedicated staff and oversee an internal DoD review, collecting and collating the results of Component lessons learned including interagency observations, internal Military Department reviews, lessons learned from past disaster responses, and assessments of mid- and long-term budget implications. The Task Force will continue its work until all requested information has been provided to the Homeland Security Council. (End Quote)

4) Key Messages:

- a) The Department of Defense has made it a priority to capture the preliminary observations from our response to Hurricane Katrina. We have been doing so ever since the hurricane made landfall. The Department has organized to support the White House Hurricane Katrina Comprehensive Review and to oversee implementation of lessons learned within DoD.
- b) Although operations are still ongoing, some early observations we are considering to improve both the overall Federal Government and specific DoD response include:
 - Improving our ability to obtain timely and accurate assessments of damaged areas immediately after an event;
 - Examining the best way to achieve effective command and control and unity of effort when multiple Federal agencies converge on an affected area;
 - Enhancing our ability to communicate with first responders on the ground, focusing specifically on voice communications;
 - Integrating fully both Active Duty and Reserve Components into pre-event and on-scene operational planning for catastrophic events; and
 - Re-examining the role of DoD in responding to a catastrophic event.
- c) These preliminary observations, and others under review, form the framework of an in-depth analysis of the DoD response to Hurricane Katrina, and will enable DoD to plan for the response to the next catastrophic event.
- d) The Department of Defense's response to the catastrophic effects of Hurricane Katrina was the largest military deployment within the United States since the Civil War. Federal military and National Guard forces have been instrumental in saving lives through extensive search and rescue, evacuation, and medical assistance.
- e) We are not requesting, assuming, or planning any changes in existing law. Our major focus in planning for catastrophic relief assistance will be how to save lives, sustain life, and mitigate suffering faster and more efficiently within the existing legal framework.
- f) We will always look to build on our ability to react to catastrophic events. We are collecting and reviewing lessons learned from recent hurricane-relief operations and looking at how we can leverage our capabilities and organization to respond even more effectively to catastrophic events in the future.

5) Miscellaneous Information (not for public release).

- a) Components, Combatant Commands, and other DoD agencies and entities are free to respond to public affairs-type queries regarding their involvement in Hurricane Katrina-Rita response using existing and provided press guidance and any information that has previously been released.

- b) Components, Combatant Commands, and other DoD agencies and entities will provide courtesy copies of any Katrina-related responses to the Task Force PAO for situational awareness.
 - c) Refer all queries relating directly to the Task Force or beyond the scope of this guidance to OASD (PA).
 - d) Components, Combatant Commands, and other DoD agencies and entities will notify the Task Force PAO of any media requests for interviews.
- 6) Point of contact: Maj. Paul Swiergosz, OASD (PA), McHale-Mauldin Task Force PAO.
E-mail: paul.Swiergosz@osd.mil ; telephone: DSN 227-5332, Comm. 703-697-5332.

Freedom of Information Act Requests

The Department of Defense Military Departments and Component FOIA offices will continue to process all Hurricane Katrina-related FOIA requests in accordance with applicable DoD FOIA regulations and guidance. However, after completing processing, DoD component FOIA offices require approval from the DoD Hurricane Katrina Comprehensive Review Task Force prior to sending a response. To request approval, the component will provide the Task Force FOIA point of contact (Jim Hogan of the Office of Freedom of Information (OFOI), DSN 426-4495) a copy of a response package that includes the request, the response, and the responsive documents, with redactions, for review. Documents denied in their entirety need not be provided. The Task Force will advise the component when approval for release is obtained and the component will then release via its usual mechanisms. Once a set of documents is cleared for release, DoD components may release these same documents in response to additional FOIA requesters without requesting Task Force approval. Components will, in this case, inform the Task Force regarding the additional request and the documents released. These procedures will help to ensure that consistent releases are made of Hurricane Katrina-related information throughout the DoD.

Components are encouraged to make all Hurricane Katrina-related FOIA-released documents available to the public on their internet websites. To avoid the public misconstruing a document that deals with only a portion of a particular issue, include in the release request and on any web site posting related documents that place said document in the proper context. OFOI will post OSD/JS Hurricane Katrina-related documents on its website and also will have links to the components that have posted their similar documents. For those components that do not post their documents, OFOI may elect to post them on its website.

Send all notifications, reports, updates, and other electronic correspondence to:
McHale-Mauldin.TF.osd-policy@osd.mil

McHale – Mauldin Task Force Release Authority Guidance

Congressional Inquiries or Requests

All DoD responses to Hurricane Katrina-related congressional inquiries will be released through the Task Force (TF). For inquiries to the TF, the TF will task the appropriate Military Department Secretary or DoD Component head to prepare a fully coordinated response package for RADM Mauldin/ASD(HD) McHale release. The response package should include a copy of the request, the response, and the responsive documents (if applicable). Should a Military Department Secretary or a DoD Component head receive an inquiry directly, the component will inform the TF of the inquiry and prepare a response as above. Deliver four hard copy packages plus an electronic version to the Task Force in room ME 877.

To ensure Task Force leaders are aware of all congressional inquiries, Military Department Secretaries and DoD Component heads will provide copies (hard copy or PDF file) of all congressional inquiries received.

Military Department Secretaries and DoD Component heads will process requests for congressional testimony in accordance with existing procedures and applicable DoD regulations and guidance. However, all proposed statements for presentation as testimony will be electronically coordinated with the Task Force, including the Task Force Counsel and Office of Security Review, prior to sending to OMB for clearance.

DoD Military Departments and DoD Components will comply with congressional investigations in accordance with existing procedures and applicable DoD regulations and guidance. The Task Force emphasizes full cooperation with congressional investigations and places no restrictions on interviews with investigators. Requests for DoD documents in the process of congressional investigations should be processed in accordance with the above procedures through the Task Force.

Send all notifications, reports, updates, and other electronic correspondence to:
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McHale – Mauldin Task Force Release Authority Guidance

External Audits and Investigations

DoD responses to Government Accounting Office (GAO) Audits and non-congressional external investigations related to the Hurricane Katrina response must strike a balance between ensuring timely access to information by investigators and ensuring that information provided is accurate. The Task Force does not seek to inhibit external agency access to DoD personnel or documentation. The following guidance is intended to keep the Task Force informed of external audit and investigation activities as well as provide accurate information.

The DoD/Inspector General (IG) and designated Military Department or DoD component points of contact (POCs) will inform the Task Force of any new GAO projects and other non-congressional external investigations when notification is received. In addition, the respective POC will update the Task Force weekly by close of business Thursday on audit/investigation activities – what organizations were interviewed, what documents were released, significant milestones regarding on-going investigations, and outstanding requests for information.

DoD Military Departments and DoD Components will comply with GAO requests in the course of audits or other non-congressional external investigations in accordance with existing procedures and applicable DoD regulations and guidance. The Task Force places no restrictions on interviews with investigators. DoD organizations are authorized to release, in accordance with their own procedures, all non-deliberative documents, status reports and briefings, orders, and other routine documents prepared while executing the Hurricane Katrina response mission. Components should notify the audit/investigation POC regarding which documents were released and provide the POC copies of these documents. Should the GAO or other investigation agency request deliberative documents related to DoD policy or analysis of lessons learned from the response, the respective component should prepare a fully coordinated package for ASD(HD) McHale/ RADM Mauldin release. The package should include a copy of the request, the response, and the responsive documents (if applicable) for review. Deliver the hard copy package and 3 copies, plus an electronic version, to the Task Force at room ME 877.

GAO audits and non-congressional investigations cover a wide spectrum of activities. When those activities do not fit into the situations described above, representatives of the Military Departments and DoD Components should contact the Task Force for additional guidance.

All DoD entities should comply fully with DoD IG investigations according to existing procedures and applicable DoD regulations and guidance.

Send all notifications, reports, updates, and other electronic correspondence to: McHale-Mauldin.TF.osd-policy@osd.mil